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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/323,397	06/01/1999	JYOJI WADA	402/584	9134

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EXAMINER

NGUYEN, LUONG TRUNG

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 05/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/323,397

Applicant(s)

WADA ET AL.

Examiner

LUONG T NGUYEN

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2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 February 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,7 and 8 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election of Species I covered by Figure 1, claims 1-8 in Paper No. 7 filed on 2/28/2003 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. Claim 9 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 7 filed on 2/28/2003.

### *Priority*

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Drawings*

4. The drawings are objected to because the informalities addressed in form PTO 948.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

*Specification*

5. The disclosure is objected to because of the following informalities:

In the specification, page 10 (line 25), page 12 (line 2), “wide-angle” should be changed to --wide-angle side--;

On page 12, line 1, “signal 34a” should be changed to --signal 14a--;

On page 13, line 1, “signal 34a” should be changed to --signal 36a--;

On page 13, line 2, “pan” should be changed to --tilt--;

On page 13, line 3, “signal 22a” should be changed to --signal 25a--;

On page 14, lines 7, 11, 13, “lever 21” should be changed to --lever 41--.

Appropriate correction is required.

*Claim Objections*

6. Claims 2, 3-6 are objected to because of the following informalities:

Claim 2 (line 9), claim 7 (line 18), claim 8 (line 26), “wide-angle” should be changed to --wide-angle side--;

Claim 3 (line 2), “signal generation” should be changed to --signal generating--;

Claim 3 (line 3), “a joy stick” should be changed to --a joystick—in order to be consistent with limitation “said joystick” on lines 6, 9 of claim 3.

Claim 6 (line 3), “spring index” should be changed to --spring constant--.

Claims 4-6 are objected as being dependent on claim 3.

Appropriate correction is required.

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*Claim Rejections - 35 USC § 103*

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai et al. (US 5,479,203) in view of Conway (US 5,719,622).

Regarding claim 1, Kawai et al. disclose a video camera pivoting apparatus comprising pivoting means (panhead 4, figure 3, column 3, lines 35-45) for pivoting camera at a pivoting speed, said video camera including a zoom mechanism (zoom lens 2, figure 3, column 3, lines 35-45) and zoom amount signal generation means (zoom level detecting circuit 3, figure 3, column 3, lines 35-45) for generating a zoom amount signal (zoom level, column 3, lines 39-42); speed controlling means for controlling said pivoting speed in accordance with said zoom amount signal (speed of panning is to be controlled according to the zoom ratio, column 10, lines 8-12, column 4, lines 17-27).

Kawai et al. fail to specifically disclose pivoting speed command signal generating means responsive to an operation for generating a pivoting speed command; and speed controlling means for controlling said pivoting speed in accordance with said pivoting speed command signal. However, Conway discloses visual control selection of remote mechanisms in which the movement of camera 16 is remotely controlled by joystick 34 (figure 1, column 3, lines 50-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention

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was made to modify the device in Kawai et al. by the teaching of Conway in order to let the operator remotely controlled the movement of the video camera.

Regarding claim 2, Kawai et al. disclose wherein said speed controlling means controls said pivoting speed in accordance with said zoom amount signal and said pivoting speed command signal such that said pivoting speed is relatively decreased from said pivoting speed command signal when said zoom amount signal indicates a telephoto side and is relatively increased from said pivoting speed command from signal when said zoom signal indicates a wide-angle (column 4, lines 17-25).

Regarding claim 7, all the limitations are contained in claims 1 and 2, therefore, see Examiner's comment regarding claims 1,2, except the feature "zoom amount detection means" is disclosed by Kawa et al. as zoom level detecting circuit 3 (figure 3, column 3, lines 35-45).

Regarding claim 8, all the limitations are contained in claim 7, therefore, see Examiner's comment regarding claim 7, except the feature "video monitor located remote" is disclosed by Conway as monitor 40 (figure 1, column 3, lines 50-62).

9. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai et al. (US 5,479,203) in view of Conway (US 5,719,622) further in view of Arita et al. (US 5,432,530).

Regarding claim 3, Kawai et al. and Conway fail to specifically disclose wherein said pivoting command signal generation means comprises a joystick mechanism and generates said pivoting speed command signal such that a value of said pivoting speed command signal

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increases at a first rate with respect to an operation angle of said joystick mechanism when said operation angle is not greater than a reference operation angle and at a second rate with respect to an operation angle of said joystick mechanism when said operation angle is greater than said reference operation angle, said second rate being greater than said first rate. However, Arita et al. disclose a pointing device and method control in which in the joystick, speed control is performed so that the speed of movement of the cursor changes in accordance with the slant of the lever 1021 (figure 50, column 2, lines 10-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Kawai et al. Conway by the teaching of Arita et al. in order to let the operator controls the movement of the video camera.

#### *Allowable Subject Matter*

10. Claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### *Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sharp (US 3,984,628) discloses remote camera-position control.

Cortjens et al. (US 5,598,209) disclose a method for automatically adjusting a video conferencing system camera.

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Rhodes et al. (US 5,745,166) disclose video security system.

Masunaga et al. (US 5,838,368) disclose remote camera control system with compensation for signal transmission delay.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Luong Nguyen** whose telephone number is **(703) 308-9297**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reach on **(703) 305-4929**.

**Any response to this action should be mailed to:**

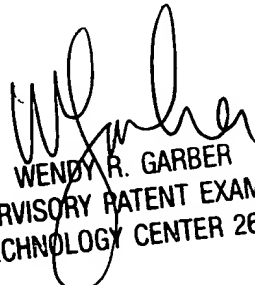
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**  
(703) 872 - 9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

LN LN  
5/15/2003

  
WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600